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Attorneys for Defendant
NCB MANAGEMENT SERVICES, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JENNIFER E. MORRISON,	)	CASE NO.
)	
Plaintiff,	)	NOTICE OF REMOVAL
	)	UNDER 28 U.S.C. § 1441 (A)
vs.	)	(FEDERAL QUESTION)
	)	[Filed concurrently with Notice of
NCB MANAGEMENT SERVICES,	)	Lodgment of State Court Pleadings;
INC.,	)	Certificate of Interested Parties; and
	)	Civil Case Cover Sheet]
Defendant.)	
	)	Complaint filed: September 21,
	)	2020

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant NCB Management Services, Inc. (hereinafter referred to as “Defendant”) respectfully submits this Notice of Removal in this civil action from the Superior Court of the State of California for the County of Yuba to the United States District Court for the Central District of California, pursuant to 28 U.S.C. §§ 1441 and 1446, based on federal question jurisdiction. Specifically, Plaintiff Jennifer E. Morrison (hereinafter referred to as “Plaintiff”) asserts a claim for damages against Defendant arising out of alleged violations of the Rosenthal Fair Debt Collection Practices Act, 15 U.S.C. §1788, *et seq.* and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et*

1 *seq.* (“FDCPA”).

2 In support of this Notice of Removal, Defendant, through its counsel,
3 states as follows:

4 **PROCEDURAL BACKGROUND**

5 1. Plaintiff commenced this action by filing a Complaint in the Superior
6 Court of the State of California for the County of Yuba on September 21, 2020,
7 styled *Morrison vs. NCB Management Services, Inc.*, Case No. CVC20-00035
8 (the “State Court Action”). *See* Complaint, attached hereto as Ex. A.

9 2. The Complaint alleges violations of the Rosenthal Fair Debt
10 Collection Practices Act, 15 U.S.C. §1788, *et seq.*, and the Fair Debt Collection
11 Practices Act, 15 U.S.C. §1692, *et seq.* *See* Complaint, page 2, ¶3(a), Morrison
12 Decl. ¶¶4-5 attached to same..

13 3. Plaintiff provided Defendant’s counsel with a copy of the Complaint
14 via electronic mail on December 2, 2020; Plaintiff did not perfect service of the
15 Complaint as against Defendant. (Cal. Code Civ. Proc. § 415.40).

16 **BASIS FOR REMOVAL – FEDERAL QUESTION JURISDICTION**

17 4. Under 28 U.S.C. § 1441(a), any civil action brought in a state court
18 of which the district courts of the United States have original jurisdiction, may be
19 removed by the defendant or the defendants, to the district court of the United
20 States for the district and division embracing the place where state court action is
21 pending.

22 5. Further, 28 U.S.C. § 1441(b) provides that any civil action for which
23 the district courts have original jurisdiction founded on a claim or right arising
24 under the Constitution, treaties or laws of the United States shall be removable
25 without regard to the citizenship or residence of the parties.

26 6. This Court has federal question jurisdiction over this action under the
27 provisions of 28 U.S.C. § 1331, and the matter is removable pursuant to
28 28 U.S.C. § 1441 because the Complaint alleges that Defendant created an

1 account on Plaintiff's credit report and improperly sought to collect on a debt.
2 *See* Complaint, page 2, ¶3(a), Morrison Decl. ¶¶4-5 attached to same.

3 7. Accordingly, this action is one in which this Court has original
4 jurisdiction under the provisions of 28 U.S.C. § 1331, and is one which may be
5 removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(b).

6 **TIMELINESS OF REMOVAL**

7 8. As noted above, the Complaint was provided to Defendant by
8 Plaintiff via electronic mail transmission to Defendant's counsel on December 2,
9 2020.

10 9. Defendant's Notice of Removal is timely because Defendant filed
11 this Notice "within thirty days after receipt by the defendant, through service or
12 otherwise, of a copy of an amended pleading, motion, order or other paper from
13 which it may first be ascertained that the case is one which is or has become
14 removable." 28 U.S.C. § 1446(b)(3).

15 **VENUE**

16 10. Venue is proper in this district and division because the State Court
17 Action was filed and is pending in the Superior Court of the State of California
18 for the County of Yuba, which is located within the United States District Court
19 for the Northern District of California.

20 **COMPLIANCE WITH REMOVAL PROCEDURES**

21 11. Defendant has complied with all of the procedural requirements for
22 removal set forth in 28 U.S.C. § 1446.

23 12. As noted above, the Notice of Removal is filed within 30 days of the
24 service of the amended pleading from which it may first be ascertained that the
25 case is one which is or has become removable.

26 13. Pursuant to § 1446(d), a copy of this Notice of Removal, including
27 exhibits, is being served on Plaintiff.
28

1 14. Pursuant to § 1446(d), a copy of this Notice of Removal, including
2 exhibits, will be filed with the Superior Court of the State of California for the
3 County of Yuba in Case No. CVC20-00035.

4 15. Copies of all process, pleadings and orders served on Defendant are
5 attached hereto. *See* Notice of Lodgment of State Court Pleadings, filed
6 concurrently herewith.

7 **WHEREFORE**, for the foregoing reasons, Defendant removes this action
8 from the Superior Court of the State of California for the County of Yuba to the
9 United States District Court for the Northern District of California and
10 respectfully requests that this Court exercise jurisdiction over this action.

11
12 Dated: December 4, 2020

GORDON REES SCULLY
MANSUKHANI, LLP

14 By: s/Sean P. Flynn
15 Sean P. Flynn
16 Christopher J. Weber
17 Attorneys for Defendant
18 NCB Management
19 Services, Inc.
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Gordon Rees Scully Mansukhani, LLP
633 West Fifth Street, 52nd floor
Los Angeles, CA 90071

EXHIBIT A

SC-100**Plaintiff's Claim and ORDER
to Go to Small Claims Court****Notice to the person being sued:**

- You are the defendant if your name is listed in ② on page 2 of this form. The person suing you is the plaintiff, listed in ① on page 2.
- You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

Order to Go to Court**The people in ① and ② must go to court:** (Clerk fills out section below.)

Trial Date	→ Date	Time	Department	Name and address of court, if different from above
1.	11/2/2020	1:30 pm	4	
2.				
3.				BONNIE SLOAN
Date: 9/21/2020		Clerk, by A. Orozco, Deputy		

Instructions for the person suing:

- You are the plaintiff. The person you are suing is the defendant.
- *Before* you fill out this form, read form SC-100-INFO, *Information for the Plaintiff*, to know your rights. Get SC-100-INFO at any courthouse or county law library, or go to www.courts.ca.gov/smallclaims/forms.
- Fill out pages 2 and 3 of this form. Then make copies of **all** pages of this form. (Make one copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all five pages of this form and any pages this form tells you to attach. There are special rules for “serving,” or delivering, this form to public entities, associations, and some businesses. See forms SC-104, SC-104B, and SC-104C.
- **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.

Clerk stamps date here when form is filed.

FILED

September 21, 2020

YUBA COUNTY SUPERIOR COURT
BONNIE SLOAN
SUPERIOR COURT CLERK
BY: AOrozco

Fill in court name and street address:

Superior Court of California, County ofYuba
215 Fifth Street, Suite 200
Marysville, CA 95901

Court fills in case number when form is filed.

Case Number:

CVCL20-00035

Case Name:

Morrison v NCB Management Services Inc.



Plaintiff (list names):

Case Number:

Jennifer Elizabeth Morrison, an individual

① The plaintiff (the person, business, or public entity that is suing) is: jmmorrison9637@gmail.com

Name: Jennifer Elizabeth Morrison Phone: 530-415-9637Street address: 1919 8th Ave Olivehurst CA 95961

Street

City

State

Zip

Mailing address (if different): _____

Street

City

State

Zip

If more than one plaintiff, list next plaintiff here:

Name: _____ Phone: _____

Street address: _____

Street

City

State

Zip

Mailing address (if different): _____

Street

City

State

Zip

☐ Check here if more than two plaintiffs and attach form SC-100A.☐ Check here if either plaintiff listed above is doing business under a fictitious name. If so, attach form SC-103.☐ Check here if any plaintiff is a "licensee" or "deferred deposit originator" (payday lender) under Financial Code sections 23000 et seq.

② The defendant (the person, business, or public entity being sued) is:

Name: NCB Management Services Inc. Phone: 800-828-1110Street address: One Allied Drive Treose PA 19053

Street

City

State

Zip

Mailing address (if different): _____

Street

City

State

Zip

If the defendant is a corporation, limited liability company, or public entity, list the person or agent authorized for service of process here:

Name: Secretary of State Job title, if known: _____Address: 1500 Eleventh St, Third Floor Sacramento CA 95814

Street

City

State

Zip

☐ Check here if your case is against more than one defendant, and attach form SC-100A.☐ Check here if any defendant is on active military duty, and write his or her name here: _____

③ The plaintiff claims the defendant owes \$ 10000 . (Explain below):

a. Why does the defendant owe the plaintiff money?

SEE ATTACHED.

When did this happen? (Date): _____

b. If no specific date, give the time period: Date started: Aug 20, 2016 Through: Present

c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)

DAMAGES: I CANNOT OBTAIN ANY MEANINGFUL CREDIT BECAUSE OF THE DEFENDANT☒ Check here if you need more space. Attach one sheet of paper or form MC-031 and write "SC-100, Item 3" at the top.

Plaintiff (list names):

Case Number:

Jennifer Elizabeth Morrison, an individual

- 4 You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. If your claim is for possession of property, you must ask the defendant to give you the property. Have you done this?

☒ Yes ☐ No If no, explain why not:

- 5 Why are you filing your claim at this courthouse?

This courthouse covers the area (check the one that applies):

- a. ☒ (1) Where the defendant lives or does business. (4) Where a contract (written or spoken) was made, signed, performed, or broken by the defendant or where the defendant lived or did business when the defendant made the contract.
- (2) Where the plaintiff's property was damaged.
- (3) Where the plaintiff was injured.
- b. ☐ Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim, is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
- c. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civ Code, § 1812.10.)
- d. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civ Code, § 2984.4.)
- e. ☐ Other (specify):

- 6 List the zip code of the place checked in 5 above (if you know): 95961

- 7 Is your claim about an attorney-client fee dispute? ☐ Yes ☒ No

If yes, and if you have had arbitration, fill out form SC-101, attach it to this form, and check here: ☐

- 8 Are you suing a public entity? ☐ Yes ☒ No

If yes, you must file a written claim with the entity first. ☐ A claim was filed on (date):

If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

- 9 Have you filed more than 12 other small claims within the last 12 months in California?

☐ Yes ☒ No If yes, the filing fee for this case will be higher.

- 10 Is your claim for more than \$2,500? ☒ Yes ☐ No

If yes, I have not filed, and understand that I cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year.

- 11 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

I declare, under penalty of perjury under California State law, that the information above and on any attachments to this form is true and correct.

Date: Sep 01, 2020 Jennifer Elizabeth Morrison

Plaintiff types or prints name here

Date:

Second plaintiff types or prints name here

Plaintiff signs here

Second plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk's office for form MC-410, Request for Accommodations by Persons With Disabilities and Response. (Civ. Code, § 54.8.)



SC-100**Information for the defendant (the person being sued)**

"Small claims court" is a special court where claims for \$10,000 or less are decided. Individuals, including "natural persons" and sole proprietors, may claim up to \$10,000. Corporations, partnerships, public entities, and other businesses are limited to claims of \$5,000. (See below for exceptions.)* The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that supports your case. And read "Be Prepared for Your Trial" at www.courts.ca.gov/smallclaims/prepare.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form MC-410, *Request for Accommodations*. Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible for a court-provided interpreter. You may use form INT-300 or local court form to request an interpreter. If a court interpreter is not available at the time of your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form INT-140.)

Where can I get the court forms I need? Go to any courthouse or your county law library, or print forms at www.courts.ca.gov/smallclaims/forms.

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form SC-140, *Notice of Appeal*. You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form SC-200 or form SC-130, *Notice of Entry of Judgment*.
- If you were *not* at the trial, fill out and file form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form SC-140.

For more information on appeals, see www.courts.ca.gov/smallclaims/appeals.

Do I have options?

Yes. If you are being sued, you can:

- **Settle your case before the trial.** If you and the plaintiff agree on how to settle the case, the plaintiff must file form CIV-110, *Request for Dismissal*, with the clerk. Ask the Small Claims Advisor for help.

* Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).)

- **Prove this is the wrong court.** Send a letter to the court *before* your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form SC-107 (*Small Claims Subpoena*) and have it served on the witness.
- **Sue the person who is suing you.** If you have a claim against the plaintiff, and the claim is appropriate for small claims court as described on this form, you may file *Defendant's Claim* (form SC-120) and bring the claim in this action. If your claim is for *more* than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court *and* relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court and file a motion to transfer the plaintiff's claim to that court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above titled "Small Claims Court."
- **Agree with the plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), or
 - You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county), or
 - You need more time to get an interpreter. One postponement is allowed, and you will not have to pay a fee to delay the trial.
- Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form SC-150 (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.



Need help?

Your county's Small Claims Advisor can help for free.

Or go to www.courts.ca.gov/smallclaims/advisor.



SC-100**Información para el demandado (la persona demandada)**

La "Corte de reclamos menores" es una corte especial donde se deciden casos por \$10,000 o menos. Los individuos, o sea las "personas físicas" y los propietarios por cuenta propia, pueden reclamar hasta \$10,000. Las corporaciones, asociaciones, entidades públicas y otras empresas solo pueden reclamar hasta \$5,000. (Vea abajo para las excepciones.) El proceso es rápido y barato. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? No tiene que presentar ningunos papeles antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos y pruebas que apoyan su caso. Y lea "Esté preparado para su juicio" en www.courts.ca.gov/reclamosmenores/preparesse.

¿Qué hago si necesito una adaptación? Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, Request for Accommodations. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Solicite un intérprete al secretario de la corte lo más pronto posible. Puede usar el formulario INT-300 o un formulario de su corte local. Si no está disponible un intérprete de la corte para su juicio, es posible que se tenga que cambiar la fecha de su juicio. No puede llevar su propio intérprete para el juicio a menos que el intérprete haya sido aprobado por la corte como un intérprete certificado, registrado, o provisionalmente calificado. (Vea la regla 2.893 de las Reglas de la Corte de California, y el formulario INT-140.)

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación* (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, *Aviso de publicación del fallo* (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración* para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones? Sí. Si lo están demandando, puede:

- **Resolver su caso antes del juicio.** Si usted y el Demandante se ponen de acuerdo en cómo resolver el caso, el Demandante tiene que presentar el formulario CIV-110, *Solicitud de desestimación* (Request for Dismissal) ante el secretario de la corte. Pídale al Asesor de Reclamos Menores que lo ayude.

- **Probar que es la corte equivocada.** Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- **Ir al juicio y tratar de ganar el caso.** Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- **Demandar a la persona que lo demandó.** Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, *Reclamo del demandado* (Defendant's Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado "Corte de reclamos menores".
- **Aceptar el reclamo del Demandante y pagar el dinero.** O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos.
- **No ir al juicio y aceptar el fallo por falta de comparecencia.** Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado), o
- Necesita más tiempo para conseguir intérprete. (Se permite un solo aplazamiento sin tener que pagar cuota para aplazar el juicio).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar sin cargo.

O visite www.courts.ca.gov/reclamosmenores/asadores.

* Excepciones: Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).)

Revised January 1, 2020

**Reclamo del Demandante y ORDEN
Para ir a la Corte de Reclamos Menores
(Reclamos Menores)**

SC-100, Page 5 of 5

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

MC-031

PLAINTIFF/PETITIONER: Jennifer Elizabeth Morrison	CASE NUMBER:
DEFENDANT/RESPONDENT: NCB Management Services Inc.	

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

SC-100 Item 3: The facts of this case are assumed to be true unless Defendant proves otherwise.

The "original creditor" Republic Bank & Trust Co. or Republic Bancorp created my "debts" unlawfully. Republic Bank is not allowed by federal law to create a debt using its depositors' funds without consensus by the Board of Directors.

The "original creditor" pooled my "debts" with hundreds of million of dollars of other "debts" and SOLD these debts as "asset-backed securities".

With the sale of my "debts" the "original creditor" transferred Equitable Title to the security's Trustee and so was not transferred to Defendant.

The Legal Title to this debt is held by Cede and Company, it has been nearly since its creation. Defendant has neither Legal nor Equitable title to the alleged debts it claims right to collect.

Without Legal or Equitable title Defendant has NO right to collect and NO right to report onto my credit.

On or about 08/28/2020 Defendant's General Counsel endeavored to trick my Power of Attorney into believing that Defendant has a package of rights. ***End of facts***

To prove Defendant owns any package of rights would require no less than:

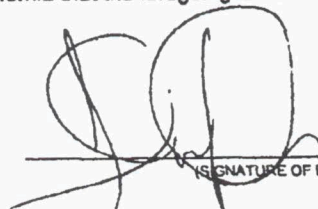
0. Republic Bank Board meeting minutes approving my debt, sworn to as accurate under penalty of perjury by the Board Secretary
1. The notarized Specific Durable PoA/s from the asset-backed security Trustese to Republic Bank & Trust or Republic Bancorp to Defendant dated prior to the first Original Creditor credit reporting and first payment demanded or collected
2. The certified unbroken chain of title, sworn under penalty of perjury
3. The exact name & number of the trusts
4. The central key index numbers involved in the security offerings
5. The pooling agreements which allow debts to be de-pooled & also
6. Proof that the debts were de-pooled correctly per the pooling agreement proving transfer of Equitable Title
7. Proof that Cede and Company transferred back to Original Creditor then to Defendant/Claimant the Legal Title with a certified copy of the endorsement/s certified under penalty of perjury

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 09/01/2020

Jennifer Elizabeth Morrison

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

- ☐ Attorney for ☒ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other (Specify):

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify and declare that I am over the age of 18 years; I am an employee of Gordon & Rees LLP, and my business address is 5 Park Plaza, Suite 1100, Irvine, CA 92614. On **December 4, 2020**, I served a true and correct of the following: **NOTICE OF REMOVAL UNDER 28 U.S.C. § 1441 (A) (FEDERAL QUESTION)**, to the individuals listed below as follows:

Attorneys for Plaintiffs:

Jennifer Morrison

1919 8th Ave

Olivehurst, CA 95961

Jmorrison9637@gmail.com

U.S. Mail Postage Prepaid



CM/ECF



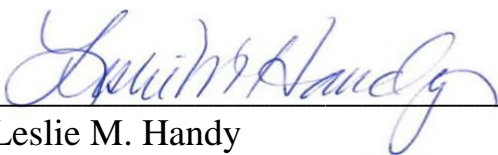
Hand Delivery



Email

I declare that I am employed in the office of a member of the California State Bar who is permitted to practice before this Court, and at whose direction the service stated above was made in the ordinary course of business. I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 4, 2020, at Chino Hills, California.



Leslie M. Handy

Gordon Rees Scully Mansukhani, LLP
633 West Fifth Street, 52nd floor
Los Angeles, CA 90071